IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

WP(C).No. 18356 of 2007(I)

PETITIONER:

K.J.W. SANTHOSH,
JUNIOR EMPLOYMENT OFFICER,
DISTRICT EMPLOYMENT EXCHANGE, ERNAKULAM.

BY ADV. SRI.J.OM PRAKASH

RESPONDENTS:

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1. THE CHERTHALA CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD. NO.A-327, CHERTHALA P.O., REPRESENTED BY ITS SECRETARY.

2. VINURAJ,
MADATHIL, PATTANAKKAD P.O., CHERTHALA.

3. JEROME,
DEPUTY TAHSILDAR, TALUK OFFICE, KUTTANAD, MANCOMPU THEKKU P.O., ALAPPUZHA.

4. K.G. SOMARAJAN,
MADATHIL, UZHUVA, VAYALAR, PATTANAKKAD.

5. THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES, CHERTHALA.

R1 BY ADV. SRI.S.P.ARAVINDAKSHAN PILLAY
SRI.PETER JOSE CHRISTO
SRI.S.A.ANAND
SMT.N.SANTHA

R5 BY GOVERNMENT PLEADER (SHRI P.K. RAVIKRISHNAN)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C). NO. 18356 OF 2007 I

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE REPRESENTATION OF THE PETITIONER DATED 31.7.2002.

EXT.P2 TRUE COPY OF THE RECEIPT ISSUED BY THE FIRST RESPONDENT DATED 11.3.2006.

EXT.P3 TRUE COPY OF THE RECEIPT ISSUED BY THE FIRST RESPONDENT DATED 17.8.2006.

EXT.P4 TRUE COPY OF THE FORM NO. 9 ISSUED BY THE FIRST RESPONDENT DATED 23.3.2007.

// TRUE COPY//

PS TO JUDGE

K. M. JOSEPH, J.

W.P.C. NO. 18356 OF 2007 I

Dated this the 10th August, 2007

JUDGMENT

Petitioner is a surety for a loan availed by the second respondent from the first respondent. He has approached this Court praying that this Court may direct the first respondent to initiate recovery proceedings against respondents 2 to 4 in respect of the loan transaction. Heard the learned counsel appearing for the first respondent Bank also. He submits that recovery proceedings will be taken against respondents 2 to 4 also. In such circumstances, having regard to the legal position as per which the surety is also jointly and severally liable, recording the submission of the first respondent, the Writ Petition is closed.

K. M. JOSEPH, JUDGE

kbk.